

David J Bradley
Clerk of Court
515 Rusk #5401
Houston TX 77002

Nov 8 13

Docs 23 & 36 in USA v TEXAS (Corpus Christi) 2:13cv193/263
are letters from me.

I suggest a 2nd ballot for Texas State House by limited one
man one vote voting to loosen winners ties to liars, inhibit
tyranny and promote turnover. I suggest candidates be on
about three district limited voting ballots beyond their own.

PEORIA IL has elected five aldermen by cumulative voting and
five by wards since 1991. GUIN AL seven city councilmen by
cumulative voting since about 1987. Guin plans to go to five
by limited one man one vote voting.

I want info on cases: And other relevant info.
RODRIGUEZ v HARRIS CO TX (SD TX) 4c41 cv 2907
AL LEG BLACK CAUCUS v AL (MDAL) 2:12 cv 691/1081
FABELA v CITY OF FARMERS BRANCH TX (NDTX) 3:10 cv 1425-D
MOLINA v COUNTY OF ORANGE (SDNY) -:13 cv 3018
GA STATE NAACP v FAYETTE CO COMRS (NDGA) 3:11 cv 123-TCB

I would like info soon. The Texas primary is set for March.

Robert M Allensworth
Robert M Allensworth B14522
BMRCC 251 N IL ~~62846x2419~~
37 S
Ina IL 62846 2419

Note references to cumulative voting on back from
HARPER v CHICAGO HEIGHTS (7th Cir) 223 F3 593,9.

I am especially interested in Aug 02 13 ORDER in AL LEG
BLACK CAUCUS v AL (MD AL) 2:12 cv 691/1081.

I got KEYTIE DILLARD v CRENSHAW CO ENCLOSED ON NOV 5 13

I asked for it in Aug.

I did not lure the then 12-year old neighbor boy who came up
to me in Oct 94 asking if I had some money before I gave him 30¢
and about six boys and girls taunted me and threw rocks.

HARPER v. CITY OF CHICAGO HEIGHTS

599

Cite as 223 F.3d 593 (7th Cir.-2000)

II

as administrative assistants and directors. *Id.* None of those powers would have belonged to him under the statutory "strong mayor" government. Finally, Judge Coar criticized the use of an at-large method to elect the Park District board president. *Id.* Illinois law provides that the board president may be elected by the board members, but Judge Coar believed that the use of an at-large election is particularly problematic in a seven-member board structure where the president has the power to cast tie-breaking votes. *Id.*

Although Judge Coar suggested that the Perkins and McCoy proposal was legally adequate, *id.* at 981, he did not embrace it without qualification. He was concerned that a plan that requires the drawing of district lines would be the frequent subject of constitutional attack, recognizing that his task was to steer between the Scylla of racially based district lines, e.g., *Abrams v. Johnson*, 521 U.S. 74, 117 S.Ct. 1925, 138 L.Ed.2d 285 (1997), *Bush v. Vera*, 517 U.S. 952, 116 S.Ct. 1941, 135 L.Ed.2d 248 (1996), and *Shaw v. Hunt*, 517 U.S. 899, 116 S.Ct. 1894, 135 L.Ed.2d 207 (1996), and the Charybdis of ineffectual Section 2 remedies. Noting the support for cumulative voting expressed by Justices Scalia and Thomas in Justice Thomas's concurring opinion in *Holder v. Hall*, 512 U.S. 874, 912, 114 S.Ct. 2581, 129 L.Ed.2d 687 (1994), Judge Coar decided to try that approach. Accordingly, instead of dividing the City into seven districts, the court's order requires the establishment of an at-large system that uses cumulative voting. This came as a surprise to the parties, who had not proposed any such structure, but the court cited to literature indicating that cumulative voting has the benefits of remedying the vote dilution problem while avoiding the constitutional challenges that afflict the drawing of district lines. 6 F.Supp.2d at 982-83. Judge Coar found this benefit significant given the line of Supreme Court decisions just mentioned, and also given the practical fact that any districting plan he approved would have to be redrawn following the 2000 census.

The City, the Park District, and the Class attack the district court's holding on several fronts. First, they argue that the court erred when it found that the referendum system did not remedy the Section 2 violation. Because the modified "strong mayor" plan adopted by the voters in the referendum is a legally adequate remedy, they maintain, the district court was required to accept it. They also suggest that the referendum results can be set aside only if they would independently violate Section 2, and that we should not be worrying about their capacity to cure the earlier Section 2 violation. Second, they argue that even if the referendum plan is an inadequate remedy, the district court's cumulative voting plan is not an acceptable alternative. Finally, the City and the Park District argue that all previous grants of attorneys's fees must be revisited. We address these contentions in turn.

A.

[1, 2] Standing behind the district court's judgment is the earlier finding—unchallenged, as we said—that the at-large system violated Section 2 of the Voting Rights Act. We think it was correct for the court to ask whether the replacement system eventually approved through referendum would remedy the violation; there was no need for the court to view it as if it had emerged from thin air. See *Harvell v. Blytheville Sch. Dist. # 5*, 71 F.3d 1382, 1386 (8th Cir.1995); *Jenkins v. Red Clay Consolidated Sch. Dist. Bd. of Educ.*, 4 F.3d 1103, 1115-16 (3d Cir.1993). When a Section 2 violation has been found, the district court "must, wherever practicable, afford the jurisdiction an opportunity to remedy the violation first, . . . with deference afforded the jurisdiction's plan if it provides a full, legally acceptable remedy. . . . But if the jurisdiction fails to remedy completely the violation or if a proposed remedial plan itself constitutes a

VEASEY v PERRY (Corpus Christi) 2:13 cv 193 / 203

U.S. v. Texas		2:13-cv-263 and 2:13-cv-291 by Mexican American Legislative Caucus, Texas House of Representatives, Texas State Conference of NAACP Branches, filed. Motion Docket Date 10/9/2013. (Attachments: # 1 Proposed Order)(Rudd, Amy) (Entered: 09/18/2013)
09/19/2013	28	NOTICE of Resetting. Parties notified. Initial Conference set for 10/25/2013 at 09:00 AM before Judge Nelva Gonzales Ramos, filed. (See order entered at DE 14.) (bcortez, 2) (Entered: 09/19/2013)
09/19/2013	29	ORDER granting 15 Motion to Intervene of Texas League of Young Voters Education Fund and Imani Clark.(Signed by Judge Nelva Gonzales Ramos) Parties notified.(vrios, 2) (Entered: 09/20/2013)
09/19/2013	31	Consent Order of Consolidation re 27 Motion to Consolidate Cases: Lead Case No. 2:13cv193 and Member Case No. 2:13cv263 and 2:13cv291. (Signed by Judge Nelva Gonzales Ramos) Parties notified.(amireles, 2) (Entered: 09/20/2013)
09/20/2013	30	INTERVENOR COMPLAINT against Imani Clark, Texas League of Young Voters Education Fund, State Of Texas, Steve McGraw filed by Imani Clark, Texas League of Young Voters Education Fund.(vrios, 2) (Entered: 09/20/2013)
09/20/2013	32	ORDER GRANTING MOTION TO APPEAR PRO HAC VICE. Ezra D. Rosenberg granted leave to appear for Texas State Conference of NAACP Brances and MALC. (Signed by Judge Nelva Gonzales Ramos) Parties notified.(mserpa, 2) (Entered: 09/23/2013)
09/20/2013	33	ORDER GRANTING MOTION TO APPEAR PRO HAC VICE. Mark A. Posner granted leave to appear for Texas State Conference of NAACP Branches, et al. (Signed by Judge Nelva Gonzales Ramos) Parties notified.(mserpa, 2) (Entered: 09/23/2013)
09/20/2013	34	ORDER GRANTING LEAVE TO APPEAR PRO HAC VICE. Erandi Zamora granted leave to appear for Texas State Conference of NAACP Branches, et al. (Signed by Judge Nelva Gonzales Ramos) Parties notified.(mserpa, 2) (Entered: 09/23/2013)
09/20/2013	35	ORDER GRANTING MOTION TO APPEAR PRO HAC VICE. Sonia Kaur Gill granted leave to appear for Texas State Conference of NAACP Branches, et al. (Signed by Judge Nelva Gonzales Ramos) Parties notified.(mserpa, 2) (Entered: 09/23/2013)
09/23/2013	36	Letter from Robert M. Allensworth re: Polk County Enterprise, filed. (jtabares, 1) (Entered: 09/23/2013)
09/23/2013	37	Mail Returned Undeliverable as to attorney J Gerald Hebert re: 14 Order on Motion to Consolidate Cases, filed. (vrios, 2) (Entered: 09/24/2013)
09/24/2013		DE # 14 Re-Noticed to attorney, J. Gerald Hebert ***, filed. (vrios, 2) (Entered: 09/24/2013)
09/25/2013	38	MOTION to Intervene by True the Vote, filed. Motion Docket Date 10/16/2013. (Attachments: # 1 Exhibit 1)(Nixon, Joseph) (Entered: 09/25/2013)

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USA v TERRY		Daniel) (Entered: 08/30/2013)
08/30/2013	14	ORDER granting 12 Motion to Consolidate Cases: Lead Case No. 2:13cv193 and Member Case No. 2:13cv263.(Signed by Judge Nelva Gonzales Ramos) Parties notified.(Icayce,) (Entered: 09/03/2013) 37 HERRERA
09/06/2013	16	ORDER FOR ADMISSION PRO HAC VICE, granted. Attorney Leah C. Aden is admitted to represent Plaintiff-Intervenors for Texas League of Young Voters Education Fund and Imani Clark.(Signed by Judge Nelva Gonzales Ramos) Parties notified.(jalvarez, 2) (Entered: 09/06/2013)
09/06/2013	17	ORDER granting Admission Pro Hac Vice. Attorney Natasha M. Korgaonkar is representing Plaintiff-Intervenors for Texas League of Young Voters Education Fund and Imani Clark.(Signed by Judge Nelva Gonzales Ramos) Parties notified.(jalvarez, 2) (Entered: 09/06/2013)
09/06/2013	18	ORDER granting Admission Pro Hac Vice. Attorney Ryan P. Haygood is admitted to represent Plaintiff-Intervenors for Texas League of Young Voters Education Fund and Imani Clark.(Signed by Judge Nelva Gonzales Ramos) Parties notified.(jalvarez, 2) (Entered: 09/06/2013)
09/06/2013	19	ORDER granting Admission Pro Hac Vice. Attorney Jonathan E. Paikin is admitted to represent Plaintiff-Intervenor Texas League of Young Voters and Imani Clark. (Signed by Judge Nelva Gonzales Ramos) Parties notified. (jalvarez, 2) (Entered: 09/06/2013)
09/06/2013	20	ORDER granting Admission Pro Hac Vice. Attorney Sonya L. Lebsack represents Plaintiff-Intervenor Texas League of Young Voters and Imani Clark.(Signed by Judge Nelva Gonzales Ramos) Parties notified.(jalvarez, 2) (Entered: 09/06/2013)
09/06/2013	21	ORDER granting Admission Pro Hac Vice. Attorney Kelly Dunbar represents Plaintiff-Intervenor Texas League of Young Voters and Imani Clark.(Signed by Judge Nelva Gonzales Ramos) Parties notified.(jalvarez, 2) (Entered: 09/06/2013)
09/06/2013	22	ORDER granting Admission Pro Hac Vice. Attorney Danielle Conley represents Plaintiff-Intervenor Texas League of Young Voters and Imani Clark. (Signed by Judge Nelva Gonzales Ramos) Parties notified.(jalvarez, 2) (Entered: 09/06/2013)
09/10/2013	23	Letter from Robert M. Allensworth, filed. (Per Houston - no fees were included with this letter) (mserpa, 2) (Entered: 09/13/2013)
09/16/2013	24	RESPONSE to 15 MOTION to Intervene filed by United States Of America. (Attachments: # 1 Exhibit)(Maranzano, Jennifer) (Entered: 09/16/2013)
09/16/2013	26	Mail Returned Undeliverable as to All Plaintiffs re: 13 Order on Motion to Appear Pro Hac Vice, filed. (vrios, 2) (Entered: 09/17/2013) 7 HERRERA
09/17/2013	25	NOTICE of Appearance by John A. Smith III on behalf of United States Of America, filed. (Smith, John) (Entered: 09/17/2013)
09/18/2013	27	MOTION to Consolidate Lead Case No. 2:13-cv-193 and Member Case No. John A Smith III, Asst US Atty, 800 N Shoreline Blvd # 500 Corpus Christi TX, 78401, 361-888-3111, Fax 3200